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New York

SUMMARY RECORD OF THE 54th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

CONTENTS

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued)

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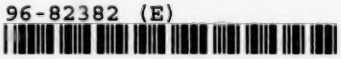

The meeting was called to order at 10.30 a.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/51/L.56, L.60, L.62, L.65 and L.71/Rev.1)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/51/L.40, L.59, L.61, L.63, L.66 and L.69)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/C.3/51/L.67)

Draft resolution A/C.3/51/L.56 on the situation of human rights in Cambodia

1. The CHAIRMAN said that draft resolution A/C.3/51/L.56 had no programme budget implications and that Costa Rica, Denmark, Finland, Germany, Honduras, Iceland, Luxembourg, Monaco, Netherlands, Poland, Portugal and the United States had become sponsors.

2. Draft resolution A/C.3/51/L.56 was adopted without a vote.

Draft resolution A/C.3/51/L.60 on a Culture of Peace

3. The CHAIRMAN said that draft resolution A/C.3/51/L.60 had no programme budget implications and that Afghanistan, Burkina Faso, Fiji, Guyana, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia, Moldova, Russian Federation, Sudan, The former Yugoslav Republic of Macedonia and Togo had become sponsors.

4. Draft resolution A/C.3/51/L.60 was adopted without a vote.

5. Mrs. LIMJUCO (Philippines), supported by Mr. GUEYE (Senegal), Mr. CHOWDHURY (Bangladesh), Mrs. CASTRO de BARISH (Costa Rica), Mr. GUILLEN (Peru), Mrs. BENNANI AKHAMLISH (Morocco) and Mr. CARRANZA (Guatemala), requested that, since the culture of peace was a concept that transcended any one area of human interest or endeavour, it should be treated as a separate, independent item on the agenda of the General Assembly.

Draft resolution A/C.3/51/L.62 on regional arrangements for the promotion and protection of human rights

6. The CHAIRMAN said that draft resolution A/C.3/51/L.62 had no programme budget implications and that Australia, Benin, Czech Republic, Japan, Lithuania, New Zealand, Poland, Portugal, The former Yugoslav Republic of Macedonia, Togo and Ukraine had become sponsors.

7. Mr. ROLAND (Belgium) said that the phrase "at inviting States ... human rights bodies" at the end of paragraph 3 should be revised to read "at

identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them".

8. Draft resolution A/C.3/51/L.62, as orally revised, was adopted without a vote.

Draft resolution A/C.3/51/L.65 on human rights and unilateral coercive measures

9. The CHAIRMAN said that draft resolution A/C.3/51/L.65 had no programme budget implications and that China, Iraq and the Sudan had become sponsors.

10. Mr. REZVANI (Islamic Republic of Iran) said that the word "negative" should be deleted from the eighth preambular paragraph, and that paragraph 2 should be revised to read: "Rejects unilateral coercive measures with all their extraterritorial effects as tools ...".

11. The CHAIRMAN said that a recorded vote had been requested on the draft resolution.

12. Mr. REZVANI (Islamic Republic of Iran), speaking in explanation of vote before the voting, reiterated his delegation's view that the General Assembly could no longer afford to ignore the negative impact of unilateral coercive measures on the peoples of an increasing number of developing countries. A majority of countries of the Non-Aligned Movement had pledged their support for the draft resolution.

13. Mr. BYRNE (Ireland), speaking on behalf of the European Union, reiterated that the European Union rejected attempts to apply national legislation on an extraterritorial basis. Since a similar text was already under consideration in the General Assembly, however, it felt that consideration of the draft resolution now before the Third Committee was unnecessary. The European Union also wished to make a clear distinction between measures imposed unilaterally by individual States and measures imposed with the full authority of the Security Council. It would therefore vote against the draft resolution.

14. Mr. KONDI (Albania) said that his delegation reserved the right to state its position on the draft resolution in the plenary Assembly.

15. Mrs. TAMLYN (United States of America) said that her delegation would vote against the draft resolution, which it saw as providing countries with a pretext for failing to respect the human rights of their citizens by placing the blame on external factors. Moreover, it wished to point out that the fifth preambular paragraph seriously misquoted the Declaration and Programme of Action of the World Conference on Human Rights; that, contrary to the statement in operative paragraph 3, nothing in the international human rights instruments precluded the adoption of sanctions under domestic law; that paragraph 4 wrongly implied that the right to self-determination included a right to trade and economic relations; and that paragraph 5 incorrectly involved the Commission on Human Rights in issues of trade and economics. Lastly, the United States did not recognize the concept of the right of individuals and peoples to development.

16. A recorded vote was taken on draft resolution A/C.3/51/L.65.

In favour: Afghanistan, Algeria, Bangladesh, Botswana, Brazil, Brunei Darussalam, Chile, China, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Russian Federation, Saudi Arabia, Singapore, Sudan, Suriname, Syrian Arab Republic, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

Abstaining: Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Barbados, Belarus, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Côte d'Ivoire, El Salvador, Estonia, Fiji, Georgia, Guatemala, Honduras, Jamaica, Jordan, Kazakstan, Kenya, Kyrgyzstan, Lesotho, Malawi, Malta, Mauritius, Micronesia (Federated States of), Mozambique, Namibia, Nicaragua, Panama, Philippines, Samoa, Sierra Leone, South Africa, Sri Lanka, Swaziland, Thailand, Togo, Trinidad and Tobago, Ukraine, Zambia.

17. Draft resolution A/C.3/51/L.65, as orally revised, was adopted by 54 votes to 44, with 49 abstentions.

18. Mrs. LIMJUCO (Philippines) said that her delegation had abstained in the voting on draft resolution A/C.3/51/L.65. While the Philippines sympathized with the general thrust of the resolution, it felt that the draft resolution currently before the plenary Assembly should have been taken into account. Her country had always taken a strong position against duplication of effort in the United Nations system.

19. Mrs. SMOLCIC (Uruguay) said that her delegation reserved the right to explain its position in the plenary Assembly.

Draft resolution A/C.3/51/L.71/Rev.1 on the strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

20. The CHAIRMAN said that the draft resolution had no programme budget implications and that Bolivia, Botswana, Congo, Ecuador, India, Niger and Yemen had become sponsors.

21. Mr. REYES RODRIGUEZ (Cuba) aid that a new paragraph reproducing the wording of the sixth preambular paragraph of General Assembly resolution 50/174 had been inserted after the second preambular paragraph of the draft resolution. In paragraph 11, the phrase "to improve international cooperation to ensure the principles" had been replaced by the phrase "for the strengthening of United Nations action in the human rights field, including the promotion of international cooperation and the importance". The sponsors hoped that the draft resolution would be adopted by consensus.

22. Mr. JALLOW (Gambia) and Mrs. CASTRO de BARISH (Costa Rica) said that they wished to become sponsors.

23. Draft resolution A/C.3/51/L.71/Rev.1, as orally revised, was adopted.

Draft resolution A/C.3/51/L.40 on the situation of human rights in Iraq

24. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.40, which had no programme budget implications.

25. Ms. NEWELL (Secretary of the Committee) said that, in paragraph 4 of the draft resolution, the words "in northern Iraq" had been inserted after the word "forces" in the first line and deleted from the second line.

26. Mr. BYRNE (Ireland), speaking on behalf of the European Union, requested that action on the draft resolution be postponed in order to complete the relevant consultations.

Draft resolution A/C.3/51/L.59 on the situation of human rights in Kosovo

27. The CHAIRMAN said that the draft resolution had no programme budget implications and that Costa Rica, Croatia, Djibouti and Liechtenstein had become sponsors.

28. Ms. NEWELL (Secretary of the Committee) said that, in the fifth preambular paragraph of the draft resolution, the words "at its fifty-second session and" had been replaced by "and the resolution of", while the word "adopted" had been inserted after "Minorities," in the last line.

29. Mr. SEPELEV (Russian Federation) requested a recorded vote on the draft resolution.

30. Mr. AGGREY (Ghana), speaking in explanation of vote before the voting, said that, in the interests of efficiency and rationalization of work, the draft resolution on the situation of human rights in Kosovo should have been included

in the omnibus resolution on the situation of human rights in the former Yugoslavia (A/C.3/51/L.68).

31. Mrs. HADJI (Greece) said that it was a well-established principle that the rights of persons belonging to minorities should be fully respected, in accordance with international law and the relevant international instruments. It was essential that that principle be applied by all States, particularly in the Balkans. However, the promotion and protection of the rights of minorities should not be used as a pretext for advancing secessionist policies or changing long-established borders, as was happening in the Federal Republic of Yugoslavia. That could only create new problems in the Balkans and endanger the security and stability of the entire region. Her delegation's support for draft resolution A/C.3/51/L.59 was based on the aforementioned principles and on the position of the European Union on the question of Kosovo.

32. Mr. GUILLEN (Peru) said that, as in previous years, his delegation would abstain in the vote on the draft resolution because it did not consider it appropriate to express views on the situation of human rights in a specific region. In the case of Kosovo, the appropriate procedure had been established in General Assembly resolution 48/153, which covered the situation of human rights in the former Yugoslavia in its entirety.

33. A recorded vote was taken on draft resolution A/C.3/51/L.59.

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Canada, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Paraguay, Poland, Portugal, Qatar, Republic of Korea, Samoa, San Marino, Saudi Arabia, Senegal, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Against: India, Russian Federation, Saint Lucia.

Abstaining: Angola, Belarus, Bhutan, Botswana, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, China, Côte d'Ivoire, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, Jamaica, Kenya, Malawi, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Papua New Guinea, Peru, Philippines, Republic of Moldova, Romania, Sierra Leone, Singapore,

Slovakia, Sri Lanka, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Zambia. Zimbabwe.

34. Draft resolution A/C.3/51/L.59, as orally revised, was adopted by 102 votes to 3, with 45 abstentions.*

35. Mr. SEPELEV (Russian Federation) said that his delegation had voted against the resolution because its text, which did not mention the State to which the territory in question belonged, did not conform to the principles governing the consideration of such issues in the United Nations. The basic provisions of the resolution could have been included in the omnibus resolution on the situation of human rights in the former Yugoslavia. The impression might be created that the world community tolerated ambiguities which could permit a distorted interpretation of the principle of territorial integrity.

36. Mr. BYRNE (Ireland), speaking on behalf of the European Union, said that the European Union had expressed concern about the human rights situation in Kosovo and had voted for the draft resolution. However, it had not sponsored the draft resolution because it felt that it should have been included in the general resolution on the situation of human rights in the former Yugoslavia. It hoped that that would be the approach taken at the next session of the General Assembly.

37. Mrs. ZHANG Fengkun (China), Mr. WISSA (Egypt), Mr. MUKHOPADHAYA (India) and Mrs. LIMJUCO (Philippines) said that their delegations reserved the right to make statements in the plenary Assembly concerning the resolution.

38. Mr. MENDEZ (Venezuela) said that his delegation had abstained from voting on the resolution, since it failed to take account of the political, economic and social progress that had been achieved in the region. The issue should have been dealt with in the context of the human rights situation in the former Yugoslavia.

39. Mr. NEIVA TAVARES (Brazil) said that although his delegation had voted in favour of the resolution, his Government felt that acknowledgement by the Committee of the progress made recently by Yugoslavia in the human rights field would encourage further positive developments.

40. Mr. STEFANOV (Bulgaria) said that his delegation would have been able to support the resolution had it been incorporated in the omnibus resolution on the situation of human rights in the former Yugoslavia. It had abstained because of its belief that particular regions within States should not be singled out as had occurred in the case of Kosovo. Besides, the adoption of consolidated texts could help to rationalize the Committee's work.

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* The delegation of Djibouti subsequently informed the Committee that it had intended to vote in favour of the draft resolution, and the delegation of Saint Lucia that it had intended to abstain.

Draft resolution A/C.3/51/L.63 on the situation of human rights in Cuba

41. The CHAIRMAN said that the draft resolution had no programme budget implications and that Bulgaria, El Salvador, Poland, Moldova and The former Yugoslav Republic of Macedonia had become sponsors.

42. Mr. AL-HUMAIMIDI (Iraq) said that his delegation had been deprived of the right to vote because the current sanctions against Iraq had made it impossible for it to pay its assessed contributions to the United Nations. Had that not been the case, his delegation would have voted against the draft resolution.

43. Mr. REYES RODRÍGUEZ (Cuba), speaking in explanation of vote before the voting, said that the United States was once again forcing the Committee to vote on a draft resolution which formed part of its hostile policy towards the Cuban people. Considerable pressure had been applied to Governments the world over in an attempt to give legitimacy to an exercise which was completely devoid of credibility. While such pressure and blackmail could prevent Governments from casting their votes freely at the United Nations, they could not prevent the truth from being known.

44. Some States were sponsoring the draft resolution because they had the presumption to judge others and to act as the conscience of humankind; others because they were constrained by circumstances, being unable to resist the will of the super-Power; and others, like Uzbekistan, because they supported a genocidal policy which flagrantly violated the human rights of an entire people. It came as no surprise that the sponsors were basically States of the northern hemisphere, with the addition of Costa Rica, anxious perhaps to atone for its chairmanship of the Group of 77, and El Salvador which, with its sinister past and questionable present, was in no position to give lessons to anyone, least of all to a State where there had never been death squads or enforced disappearances and where political assassination had been eradicated 37 years previously.

45. History would remember those States which had refused to take part in that latest aggression against Cuba. His Government would never accept such a selective, discriminatory and unjust approach and it would never accept a special rapporteur, no matter what attempts were made to present the latter as neutral and independent. For all those reasons, his delegation would vote against the draft resolution.

46. A recorded vote was taken on draft resolution A/C.3/51/L.63.

In favour: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia,

Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Against: Angola, China, Congo, Cuba, Democratic People's Republic of Korea, El Salvador, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Leo People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Myanmar, Namibia, Nigeria, Papua New Guinea, South Africa, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Abstaining: Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Colombia, Côte d'Ivoire, Dominican Republic, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kazakstan, Kenya, Kyrgyzstan, Lebanon, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Micronesia (Federates States of), Mongolia, Morocco, Mozambique, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, Venezuela.

47. Draft resolution A/C.3/51/L.63 was adopted by 59 votes to 26, with 71 abstentions.*

48. Mr. JALLOW (Gambia) said that his delegation had voted against the resolution. The Government of Cuba had made every effort to maintain peace and progress in that country and to work closely and amicably with the international community.

49. Mrs. MORGAN (Mexico) said that her delegation had abstained from voting on the resolution because international cooperation in the field of human rights should be balanced and global, should be guided by the principles of objectivity, non-selectivity and universality and should take account of the indivisibility of human rights.

50. Mr. PACE (Malta) said that his delegation, in voting for the resolution, had reaffirmed Malta's unwavering commitment to universal respect for human rights. Although his Government had noted significant progress in Cuba in recent years, particularly concerning social and economic rights, it felt that such progress needed to be matched by significant advances in civil and political rights.

51. Mrs. CASTRO de BARISH (Costa Rica) said that Costa Rica had sponsored the resolution in exercise of its sovereign rights and not out of any desire to

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* The delegation of El Salvador subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

"atone for its chairmanship of the Group of 77", as had been suggested by the representative of Cuba. Her delegation reserved the right to speak on the issue in the plenary Assembly.

52. Mr. MELENDEZ-BARAHONA (El Salvador), referring to the statement by the representative of Cuba, recalled that, in the past, the Commission on Human Rights had appointed Special Representatives to investigate violations of human rights and fundamental freedoms in El Salvador. His country had undergone a painful and difficult transformation over the past 15 years, leading to a successful peace process and the establishment of a pluralistic, democratic political system. El Salvador did not claim to have found solutions to all its problems, but with the help of the international community, it had come a long way towards guaranteeing the enjoyment of democracy and human rights for all its citizens. He agreed with the representative of Cuba that El Salvador's current situation was "questionable", in the sense that his country did not have all the answers, but his Government was endeavouring to ensure that all its people could fully enjoy their political, economic and social rights.

Draft resolution A/C.3/51/L.69 on the situation of human rights in Myanmar

53. The CHAIRMAN said that the draft resolution had no programme budget implications and that Australia, Canada, Lithuania, Monaco and the United Kingdom had become sponsors.

54. Mr. RÖNQUIST (Sweden) said that in the ninth preambular paragraph, the words "recent aggression committed against" had been replaced by "attack, on 9 November 1996, on", and in paragraph 7, the words "cooperate fully with the Secretary-General" had been replaced by "allow a visit by the representative of the Secretary-General as soon as possible".

55. Mr. MRA (Myanmar) said that his delegation was greatly disturbed by draft resolution A/C.3/51/L.69, which was thoroughly negative and based on unsubstantiated allegations, as the previous year's resolution had been. It failed to recognize the significant progress that had been made in Myanmar, particularly with regard to national reconciliation. Moreover, the cessation of hostilities and reintegration of members of 15 armed groups, as recognized in paragraph 17 of General Assembly resolution 50/194, had been played down in the latest resolution, demonstrating the sponsors' reluctance to acknowledge his country's achievements. The sponsors had taken into account the interests of only one individual or party and seemed to assume that pressure must be maintained on his Government. However, his Government would never yield to outside pressure.

56. The draft resolution reflected a number of misconceptions about the situation in his country. The ninth preambular paragraph notwithstanding, no mass arrests had taken place. The National League for Democracy (NLD) had not organized large gatherings of people simply for the purposes of peaceful assembly, but rather to disrupt the ongoing National Convention process and draw up a parallel constitution. Such acts were tantamount to obstructing the development of a genuine system of multiparty democracy and the successful performance of the functions of the National Convention. The Government had been left with no alternative but to take preventive measures and bring some NLD members in for questioning. The fact that the Government had managed to improve

the situation in his country over the past eight years had been due to its painstaking, systematic efforts, and no single party could be allowed to disrupt the progress made. The NLD leadership had used dubious methods to exploit for political ends international misconceptions about Myanmar. There were no restrictions on any political leaders, a fact that could easily be verified.

57. With reference to the tenth preambular paragraph of the draft resolution, he stressed that the withdrawal and exclusion of NLD from the National Convention had been the result of its own unilateral action: having absented itself without notification for a specific period, it had been automatically expelled.

58. The eleventh preambular paragraph ignored the ongoing, successful National Convention process and conveyed a biased view of what was taking place in the country's political process. His Government believed that the National Convention offered the best forum for that process by allowing representatives from all sectors of society to take an active part in formulating a new and enduring constitution. In view of the success of that process, the deliberately misleading assertion that his Government had failed to open a political dialogue was unacceptable.

59. The twelfth preambular paragraph merely repeated the stale allegations made in previous resolutions on Myanmar. Those allegations were unsubstantiated and invariably emanated from anti-Government sources. The Government had responded to all such allegations when they had been made through the Commission on Human Rights and the Centre for Human Rights. The twelfth preambular paragraph also contained a reference to deaths in custody. Such deaths occurred all over the world. If the intention was to refer to the death of Mr. Nichols, his Government considered that case closed.

60. His delegation categorically rejected the Special Rapporteur's observation, referred to in the thirteenth preambular paragraph, that the absence of democratic governance was at the root of all the major violations of human rights in Myanmar. That observation was based on information received from dubious sources. Any consideration of human rights should take into account all aspects of such rights, including the right to live in peace and security and the right to necessities such as food, clothing and shelter, rights to which his Government was giving priority.

61. Paragraph 1 urged the Government of Myanmar to cooperate with the Special Rapporteur. His Government had been cooperating to the fullest extent possible. However, the requests made by the Special Rapporteur to his Government must be practicable. His delegation found paragraph 4 unacceptable and highly intrusive. His Government would not be selective in carrying out its responsibility to maintain public peace and order.

62. Paragraph 7 contained references to the discussions between Myanmar and the Secretary-General. His country's willingness to continue its dialogue with the United Nations was a matter of record. However, the intent of paragraph 7 appeared to conflict with the spirit of paragraph 17. The outcome of the national reconciliation process rested entirely with the Government and people of his country, not with any outside individual or entity such as the representative of the Secretary-General.

63. The sponsors' attempt, in paragraph 8, to introduce non-governmental organizations as a factor in Myanmar's political process was unacceptable. His Government was, in any case, well aware of the valuable role played by such organizations. The suggestion in paragraph 11 that there as no right to a fair trial in Myanmar was misleading, since civil and criminal procedures were followed scrupulously.

64. The draft resolution as a whole was unacceptable to his delegation, since it was both negative and intrusive and failed to recognize the progress made. His delegation therefore disassociated itself from it.

65. Draft resolution A/C.3/51/L.69 was adopted without a vote.

66. Mr. AQUARONE (Netherlands) said that his delegation was following the human rights situation in Myanmar closely and with increasing concern. Since it had felt that the resolution did not fully reflect the reality in that country, where both the human rights situation and the Government's cooperation with the Special Rapporteur and the Secretary-General's representative had deteriorated in the past year, his delegation had not sponsored the draft resolution.

67. Ms. SAIGA (Japan) urged the Government of Myanmar to cooperate with the United Nations by responding to the resolution, which reflected the concerns of the international community.

Draft resolution A/C.3/51/L.67 on the comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

68. The CHAIRMAN said that the draft resolution had no programme budget implications and that the following countries had become sponsors: Albania, Andorra, Bahamas, Belarus, Cambodia, Chile, Congo, Costa Rica, Croatia, Czech Republic, Dominican Republic, Ecuador, France, Gambia, Georgia, Ghana, Guinea, Guinea-Bissau, Haiti, Kenya, Luxembourg, Mongolia, Morocco, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, San Marino, Solomon Islands, United Kingdom and Zambia.

69. Ms. NEWELL (Secretary of the Committee) said that the title of the draft resolution had been omitted and should read "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action". Paragraph 7 should be deleted.

70. Draft resolution A/C.3/51/L.67 was adopted without a vote.

The meeting rose at 12.50 p.m.